

AMENDED IN SENATE APRIL 25, 2011

SENATE BILL

No. 106

Introduced by Senator Blakeslee

(Coauthors: Senators Dutton, Gaines, La Malfa, Runner, and Walters)

(Coauthors: Assembly Members Halderman and Monning)

January 13, 2011

An act to amend Section 13001 of the Elections Code, relating to special elections, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 106, as amended, Blakeslee. Special elections.

Existing law provides that expenses authorized and necessarily incurred in the preparation for and conduct of elections are to be paid from the county treasuries, except as specified.

This bill would provide that expenses authorized and necessarily incurred on or after January 1, 2009, and before April 19, 2011, for elections proclaimed by the Governor to fill a vacancy in the office of Senator or Member of the Assembly, or to fill a vacancy in the office of United States Senator or Member of the United States House of Representatives, shall be paid by the state.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature recognizes the unnecessary*
2 *burden that unreimbursed special elections have had on*
3 *California's 58 counties. These special elections have forced the*
4 *counties to redirect important funds which should be used to*
5 *provide critical services to the community.*

6 ~~SECTION 1.~~

7 *SEC. 2.* Section 13001 of the Elections Code is amended to
8 read:

9 13001. (a) (1) Except as provided in subdivision (b), expenses
10 authorized and necessarily incurred in the preparation for, and
11 conduct of, elections as provided in this code shall be paid from
12 the county treasuries, except that if an election is called by the
13 governing body of a city the expenses shall be paid from the
14 treasury of the city.

15 (2) All payments under this subdivision shall be made in the
16 same manner as other county or city expenditures are made.

17 (b) All expenses authorized and necessarily incurred on or after
18 January 1, 2009, and before April 19, 2011, in the preparation for,
19 and conduct of, elections proclaimed by the Governor to fill a
20 vacancy in the office of Senator or Member of the Assembly, or
21 to fill a vacancy in the office of United States Senator or Member
22 of the United States House of Representatives, shall be paid by
23 the state.

24 (c) The elections official, in providing the materials required
25 by this division, need not utilize the services of the county or city
26 purchasing agent.

27 ~~SEC. 2.~~

28 *SEC. 3.* This act is an urgency statute necessary for the
29 immediate preservation of the public peace, health, or safety within
30 the meaning of Article IV of the Constitution and shall go into
31 immediate effect. The facts constituting the necessity are:

32 In order to assure the orderly conduct of elections during the
33 ongoing dire fiscal climate by relieving counties of responsibility
34 for expenses incurred on or after January 1, 2009, and before April
35 19, 2011, for the preparation and conduct of elections proclaimed

- 1 by the Governor for specified purposes, it is necessary that this
- 2 bill go into immediate effect.

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